## REMARKS

Claims 29-35 are currently pending in the above application per applicant's April 23, 2004 amendment.

The Amendments

Applicant has amended claim 33 to depend only from claim 31. Applicant has amended claims 34 and 35 to clarify that the antecedent in claim 32 is a cell surface protein. These amendments do not narrow the claims in any way. No new matter has been added through these amendments.

The Rejections

§ 112, Paragraph 1

The Examiner has rejected claim 30 under 35 U.S.C. § 112 as not providing enablement for "any molecule." Applicant traverses.

The specification states that "[t]he target for the complexes of this invention may be any entity that is capable of binding the target-binding moiety of the complexes of this invention and to which one wants to deliver the pharmacological compound in the complex. Thus, targets include molecules, cells, tissues, organs, viruses, bacteria, fungi or any other surface that displays affinity for the target binding moiety" (p. 11, lines 18-25).

It is clear from the specification and claim 29, from which claim 30 depends, that each target listed in the Markush group of claim 30 must be capable of binding specifically to the target-binding moiety of claim 29. This limitation adequately provides a context for the "molecule" of claim 30 such that those of skill in the art are

placed in possession of the full scope of the claim and are enabled to make and use the full scope of the invention. That is, one of skill in the art reading claims 29, 30 and the specification would understand that any molecule not capable of binding specifically to the target-binding moiety of claim 29 would not serve as a target.

Because of the context of the word "molecule" in the claim, it is meaningful to those of skill in the art. One of skill in the art, reading the specification, and particularly the examples, would have known as of the filing date how to use the claimed invention to target a wide variety of molecular targets in the body. While cell surface proteins are the preferred targets, other molecules can be targeted according to the same principles, through only routine experimentation. For example, just as the target-binding moiety may be non-peptidic (see the specification at page 7, lines 24-30), lipid or carbohydrate molecules may also be targeted by the claimed complexes. The Examiner has not shown that undue experimentation would be required in order for one of skill in the art to perform the method of claim 30.

§ 112, Paragraph 2

The Examiner has rejected claims 29-35 under 35 U.S.C. § 112, second paragraph for not particularly pointing out how the complex is administered. Applicants traverse.

Claims 29, and therefore dependent claims 30-35, recites a pharmaceutically acceptable carrier, and the specification describes how the complexes of the claimed inventions may be administered by one of skill in the art. For example, the specification describes how molar amounts of complex relative to the compound occluded may be determined, and also that "routes of administration will naturally vary

with the pathological condition" (page 12, lines 16-33 and page 13, lines 1-2, respectively).

The specification goes on to describe in detail the use of pharmaceutically acceptable carriers for use with the claimed complexes (page 13, line 6 through page 14, line 5). Detailed discussion of administration follows at page 14, line 6 through page 18, line 14.

The Examiner has also rejected claim 30 as being "indefinite in that the terms 'molecule', and 'other microorganism and another surface that is capable of binding specifically to said complex' fails to particularly point out the metes and bounds of the Markush group. Applicant traverses.

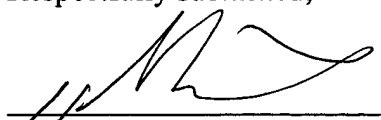
As discussed above, the term "molecule" in the context of the claim and the specification refers to entities that are capable of binding the target-binding moiety of the claimed complexes and to which one wants to deliver the pharmacological compound in the complex. It is clear from the disclosure and from the claim itself that this refers to the therapeutic use of the complexes in addressing "a desired target in a patient" (see claim 29). This context defines the category of molecules contemplated by claim 30.

The terms "other microorganism and another surface that is capable of binding specifically to said complex" likewise refers to therapeutic targets within the context of claim 29.

The Examiner has rejected claims 33, 34 and 35 as lacking proper antecedent basis. Applicant has amended claims 33-35 to clarify these claims, as suggested by the Examiner.

Based on the above amendments and remarks, applicant requests that the Examiner withdraw the rejections of the claims, and allow claims 29-35, as amended, to issue.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
S. Craig Rochester (Reg. No. 43,052)
Attorneys for Applicant
c/o FISH & NEAVE LLP
(Customer No. 1473)
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000
Fax.: (212) 596-9090